

BILL NO. G-71-01-13 (Amended)

GENERAL ORDINANCE NO. G- 118-71

AN ORDINANCE authorizing the Mayor to proclaim an emergency and authorizing the Mayor to declare a curfew and to promulgate regulations, and providing penalties and amending the Municipal Code.

WHEREAS, violence has occurred in the streets of Fort Wayne, forcing the Common Council to face the possibility that it may occur again;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. If the Mayor finds that by reason of widespread violence or threats of imminent violence endangering the lives and property of the citizens of Fort Wayne a state of emergency exists, the Mayor is hereby authorized to declare a curfew, and to promulgate regulations appropriate to deal with the emergency in all or any part of the area within the jurisdiction of the City.

SECTION 2. Such regulations may include a curfew for all or any part of the City or restrictions on the sale or transportation of firearms or ammunition or liquor or gasoline or kerosene or similar combustible fuel. The regulations may also restrict assemblages of more than ten persons.

SECTION 3. Such proclamation and the regulations promulgated thereunder shall immediately be given to all news media in

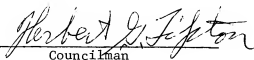
the City and notice thereof given by all means reasonably available; including notice to each member of the Common Council in person or by phone call or delivery to his home. Any five or more members of the Council may modify or rescind such regulations.

SECTION 4. All police officers are authorized to arrest and retain in custody all persons reasonably suspected of violation of the regulations so promulgated. All persons so arrested shall be taken before the Judge of the City Court or the Circuit Court within thirty hours after arrest or as soon after the elapse of thirty hours as the Courts may be available, provided that such action is not interfered with by violence or threats of violence.

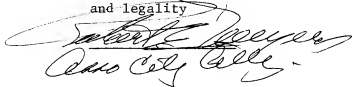
SECTION 5. Any person willfully violating the regulations so promulgated, and any person defying any police officer engaged in enforcing such regulations, shall be subject to a penalty of not to exceed \$100 for each violation and to imprisonment for not to exceed thirty days.

SECTION 6. Chapter 7 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, is hereby amended by adding the above sections as Article I thereof. The sections presently in said Chapter shall constitute Article II of said Chapter 7.

SECTION 7. This Ordinance shall be effective from and after its passage and approval by the Mayor, and publication as required by law.


Councilman

Approved as to form
and legality


City Clerk

Read the first time in full and on motion by _____ seconded by _____ and duly adopted, read the second time by title and referred to the (Committee on) _____ (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on _____ the _____ day of _____ 19 ____, at _____ o'clock P.M., E.S.T.

Date: 7-13-71

Frank J. Bonachoon
City Clerk

Read the third time in full and on motion by _____ seconded by Robinson and duly adopted, placed on its passage.

Passed ~~(lost)~~ by the following vote:

AYES	<u>8</u>	NAYS	<u>1</u>	ABSTAINED	____	ABSENT	____	to-wit:
Adams	<u>✓</u>	____	____	____	____	____	____	
Dunifon	<u>✓</u>	____	____	____	____	____	____	
Fay	<u>✓</u>	____	____	____	____	____	____	
Geake	<u>✓</u>	____	____	____	____	____	____	
Nuckols	____	<u>✓</u>	____	____	____	____	____	
Robinson	<u>✓</u>	____	____	____	____	____	____	
Rousseau	<u>✓</u>	____	____	____	____	____	____	
Steigerwald	<u>✓</u>	____	____	____	____	____	____	
Tipton	<u>✓</u>	____	____	____	____	____	____	

Date: 7-13-71

Frank J. Bonachoon
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(Zoning Map)~~ ~~(General)~~ ~~(Annexation)~~ ~~(Special)~~ ~~(Appropriation)~~ Ordinance ~~(Resolution)~~ No. 4118-71

on the 13th day of July, 19 71.

ATTEST: (SEAL)

Frank J. Bonachoon
City Clerk

Thos. J. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of July, 19 71 at the hour of 8:30 o'clock A.M., E.S.T.

Frank J. Bonachoon
City Clerk

Approved and signed by me this 14th day of July, 19 71, at the hour of 9:46 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor

attest

Held for Committee
meeting

Bill No. G-71-01-13

(amended)

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
authorizing the Mayor to proclaim an emergency and authorizing the Board of
Safety to promulgate emergency regulations, and providing penalties and amending
the Municipal Code,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

HERBERT G. TIPTON, Chairman

JACK K. DUNIFON, Vice-Chairman

THOMAS G. ADAMS

WILLIAM K. GEAKE

JOHN H. ROBINSON

Herbert G. Tipton
Jack K. Dunifon
Thomas G. Adams
William K. Geake
John H. Robinson

CONCURRED IN

DATE 7-13-71 FUAD G. BONAHOOM, CITY CLERK

the City and notice thereof given by all means reasonably available; including notice to each member of the Common Council in person or by phone call or delivery to his home. *may be required*

members of the Council may readily be reached and regulations. SECTION 4. All police officers are authorized to arrest and retain in custody all persons reasonably suspected of violation of the regulations so promulgated. All persons so arrested shall be taken before the Judge of the City Court or the Circuit Court within thirty hours after arrest or as soon after the elapse of thirty hours as the Courts may be available, provided that such action is not interfered with by violence or threats of violence.

SECTION 5. Any person willfully violating the regulations so promulgated, and any person defying any police officer engaged in enforcing such regulations, shall be subject to a penalty of not to exceed \$100 for each violation and to imprisonment for not to exceed thirty days.

SECTION 6. Chapter 7 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, is hereby amended by adding the above sections as Article I thereof. The sections presently in said Chapter shall constitute Article II of said Chapter 7.

SECTION 7. This Ordinance shall be effective from and after its passage and approval by the Mayor, and publication as required by law.

APPROVED AS TO FORM
AND LEGALITY.

[Signature]
CITY ATTORNEY

[Signature]
Councilman

BILL NO. G-71-01-/3

GENERAL ORDINANCE NO. G-_____

AN ORDINANCE authorizing the Mayor to proclaim an emergency and authorizing the Board of Safety to promulgate emergency regulations, and providing penalties and amending the Municipal Code.

WHEREAS, violence has occurred in the streets of Fort Wayne, forcing the Common Council to face the possibility that it may occur again; and

WHEREAS, the General Assembly of the State of Indiana has authorized the Common Council to enact ordinances to quell riots and disperse disorderly assemblages; and

WHEREAS, the General Assembly has given the Mayor as chief executive officer of the City the duty to cause the ordinances of the City and the laws of the State to be executed and enforced, and responsibility for the good order and efficient government of the City; and

WHEREAS, the General Assembly has given to the police under the supervision of the Board of Safety the specific duty to suppress riots, mobs and insurrections, and to disperse unlawful and dangerous assemblages which obstruct the free passage of public streets, sidewalks, parks and places, and to protect the rights of persons and property and to guard the public health; NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. If the Mayor finds that by reason of widespread violence or threats of imminent violence endangering the

lives and property of the citizens of Fort Wayne a state of emergency exists, the mayor is hereby authorized to issue a proclamation of such a state of emergency and call upon the Board of Safety to promulgate regulations appropriate to deal with the emergency in all or any part of the area within the jurisdiction of the City; or the Mayor may himself promulgate such regulations until the Board of Safety has a reasonable opportunity to act.

SECTION 2. Such regulations may include a curfew for all or any part of the City or restrictions on the sale or transportation of firearms or ammunition or liquor or gasoline or kerosene or similar combustible fuel. The regulations may also restrict assemblages of more than ten persons.

SECTION 3. Such proclamation and the regulations promulgated thereunder shall immediately be given to all news media in the City and notice thereof given by all means reasonably available under the circumstances.

SECTION 4. Appointment of additional police officers is hereby authorized in case of emergency so proclaimed.

SECTION 5. All police officers are authorized to arrest and retain in custody all persons reasonably suspected of violation of the regulations so promulgated. All persons so arrested shall be taken before the Judge of the City Court or the Circuit Court within thirty hours after arrest or as soon after

the elapse of thirty hours as the Courts may be available, provided that such action is not interfered with by violence or threats of violence.

SECTION 6. Any person willfully violating the regulations so promulgated, and any person defying any police officer engaged in enforcing such regulations, shall be subject to a penalty of not to exceed \$100 for each violation and to imprisonment for not to exceed thirty days.

SECTION 7. Chapter 7 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, is hereby amended by adding the above sections as Article I thereof. The sections presently in said Chapter shall constitute Article II of said Chapter 7.

SECTION 8. This Ordinance shall be effective from and after its passage and approval by the Mayor.

Herbert G. Lipton

APPROVED AS TO FORM
AND LEGALITY

W. H. Moore
CITY ATTORNEY

Read the first time in full and on motion by Tipton seconded by Robinson and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the _____ day of _____, 196____, at _____ o'clock P.M., E.S.T.

Date: 1-12-71

Frank J. Bonchroom
City Clerk

Read the third time in full and on motion by _____ seconded by _____ and duly adopted, placed on its passage.
Passed (LOST) by the following vote:

AYES	_____	NAYS	_____	ABSTAINED	_____	ABSENT	_____	to-wit:
Adams	_____	_____	_____	_____	_____	_____	_____	
Dunifon	_____	_____	_____	_____	_____	_____	_____	
Fay	_____	_____	_____	_____	_____	_____	_____	
Geake	_____	_____	_____	_____	_____	_____	_____	
Muckols	_____	_____	_____	_____	_____	_____	_____	
Robinson	_____	_____	_____	_____	_____	_____	_____	
Rousseau	_____	_____	_____	_____	_____	_____	_____	
Steigerwald	_____	_____	_____	_____	_____	_____	_____	
Tipton	_____	_____	_____	_____	_____	_____	_____	

Date _____

City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(Zoning Map)~~ (General) ~~(Annexation)~~ ~~(Special)~~ ~~(Appropriation)~~ Ordinance ~~(Resolution)~~ No. 9-118-71 on the _____ day of _____, 19671.

ATTEST:

(SEAL)

City Clerk

Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19671 at the hour of 8:30 o'clock A.M., E.S.T.

City Clerk

Approved and signed by me this _____ day of _____, 196____, at the hour of _____ o'clock _____.M., E.S.T.

Harold S. Zeiss
Mayor

Common Council-City of Ft. Wayne
(Governmental Unit)

To.....NEWS-SENT INEL.....Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

—

112

1

113

COMPUTATION OF CHARGES

113 lines.....columns wide equals.....equivalent lines at \$288¢.....
cents per line \$32.54

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$32.54

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date July 31, 1971

Title Clerk

Legals

Notice is hereby given that on the 12th day of July, 1971, the Common Council Regular Session, did pass the following General Ordinance, to-wit:

BILL NO. 0-71-013 (Amended)
AN ORDINANCE authorizing the Mayor to proclaim an emergency and authorizing the Mayor to declare a curfew and to promulgate regulations, and providing penalties for violating the Municipal Code, WHEREAS, violence has occurred in the streets of Fort Wayne, Indiana, Common Council to face the possibility that it may occur again;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA: SECTION 1. If the Mayor finds that by reason of widespread violence or threats of imminent violence, endangering the public property of the City of Fort Wayne a state of emergency exists, the Mayor is hereby authorized to declare a curfew, and to promulgate regulations appropriate to deal with the emergency in all or any part of the area within the jurisdiction of the City.

SECTION 2. Such regulations may include a curfew on all or any part of the population of firearms or ammunition or portable or positive or kinetic or similar combustible fuel. The regulations may also restrict assemblies of more than two persons.

SECTION 3. Such proclamation and the regulations promulgated there under shall immediately be given to all news media all means reasonably available, including the City and Police Department, the Common Council in person or by phone call or delivery to his home. Any five or more members of the Council may modify or rescind such regulations.

SECTION 4. All police officers are authorized to arrest and return in custody all persons reasonably suspected of violation of the regulations so promulgated, and actions as a city official. Therefore the Judge of the City Court or the Circuit Court within thirty days after arrest or as soon after the lapse of thirty hours as the Courts may be available, provided that such action is not interfered with by violence or threats of violence.

SECTION 5. Any person willfully violating the regulations so promulgated, and engaged in enforcing such regulations, shall be subject to a penalty of not to exceed \$100 for each violation and to imprisonment for not to exceed thirty days.

SECTION 6. Chapter 7 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended by adding the above sections as Article 1 thereof. The said Chapter shall constitute Article 1 of said Chapter 7.

SECTION 7. This Ordinance shall be effective from and after its passage and approval by the Mayor, and publication as required by law.

HERBERT G. TIPTON, Councilman,
Read the third time in full and on motion by Tipton, seconded by Robinson and all present, placed on its passage. Passed by the following vote:

Ayes: Adams, Dunham, Fey, Geake, Robinson, Ranssens, Steigerwald, Tipton.
Nays: one, Councilman Nuckles, to-wit: Dale T. Levy.

FUAD G. BONAHOUM, City Clerk,
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. 0-71-013 on this 12th day of July, 1971.

ATTEST:
FUAD G. BONAHOUM, City Clerk,
PHIL A. STEIGERWALD, Recording Officer.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1971, at the hour of 2:30 o'clock A.M.

FUAD G. BONAHOUM, City Clerk,
Approved and signed for the City of Fort Wayne, Indiana, on the 10th day of July, 1971, at the hour of 2:30 o'clock A.M., E.S.T.

HAROLD S. TEIS, Mayor,
I, Fuad G. Bonaoum, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. 0-71-013 as passed and adopted by the Common Council of the City of Fort Wayne, Indiana, on the 12th day of July, 1971.

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that she is Clerk of the NEWS-SENT INEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, the dates of publication being as follows:

July 22, 1971

July 29, 1971

Subscribed and sworn to before me this 31st day of July 1971

My commission expires March 8, 1974
Notary Public

Common Council-City of Ft. Wayne
(Government Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

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Body number of lines

112

Tail number of lines

1

Total number of lines in notice

113

COMPUTATION OF CHARGES

113 Lines.....columns wide equals.....equivalent lines at .288¢
cents per line

32.54

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

32.54

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type. 5½ point

Number of insertions. 2

Size of quad upon which type is cast. 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date July 31, 1971

Title CLERK

Legal Notices

Notice is hereby given that on the 12th day of July, 1971, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following General Ordinance, to-wit:

BILL NO. G-11871 (Amended)
GENERAL ORDINANCE NO. G-11871
TO A. ORDINANCE authorizing the Mayor to proclaim an emergency and directing the Mayor to declare a curfew and to promulgate regulations, and providing penalties and extending the Municipal Code.
WHEREAS, violence has occurred in the streets of Fort Wayne, forcing the Common Council to face the possibility that it may occur again;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, SECTION 1, if the Mayor finds that by reason of widespread violence or threats of imminent widespread violence, the lives and property of the citizens of Fort Wayne is in danger, that the Mayor is hereby authorized to declare a curfew, and to promulgate regulations appropriate to deal with the emergency in all or any part of the area within the jurisdiction of the City.

SECTION 2. Such regulations may include a curfew for all or part of the City or restrictions on the sale or transfer of alcoholic beverages, or possession of liquor or gasoline or kerosene or similar combustible fuel. The regulations may also restrict assemblies of more than ten persons.

SECTION 3. Such proclamation and the regulations promulgated here under shall immediately shall be in full force and effect. The Mayor shall cause to be given by the City and notice thereof (given by the Mayor) to each member of the Common Council in person or by means of mail or delivery to his home. Any five or more members of the Council may modify or rescind such regulations.

SECTION 4. All police officers are authorized to arrest and retain in custody all persons reasonably suspected of violation of the regulations. All persons so arrested shall be taken before the Judge of the City Court or the Circuit Court within thirty hours after arrest or as soon after the lapse of thirty hours as the Courts may be available, provided that such action is not interfered with by violence or threats of violence.

SECTION 5. Any person willfully violating the regulations so promulgated and any person defying any police officer engaged in enforcing such regulations, shall be subject to a penalty of not to exceed \$10 for each violation and to imprisonment for not to exceed thirty days.

SECTION 6. Chapter 7 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended by adding the above sections as Article 1 thereof. The sections presently in said Chapter shall constitute Article 1 of said Chapter 7.

SECTION 7. This Ordinance shall be effective from and after its passage and approval by the Mayor, and publication as required by law.

HERBERT G. TIPTON, Councilman.
Read the third time in full and on motion by Tipton, seconded by Robinson and duly adopted placed on its passage. Passed by the following vote:

Ayes: eight
Dunton, Fay, Geake, Robinson, Rousseau, Shierwald, Tipton.
Nays: one, Councilman Nuckols, to-wit:

Order: F. J. G. BONAHOO, City Clerk.
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-11871 on the 12th day of July, 1971.
ATTEST:

F. J. G. BONAHOO, City Clerk.
PHIL A. STEIGERWALD, Recording Officer.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of July, 1971, at the hour of 4:30 o'clock A.M., and read the 14th day of July, 1971, at the hour of 4:30 o'clock A.M., E.S.T.

CHARLES S. ZEIS, Mayor.
I, Fred G. Bonahoo, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance and Chapter 7 of the Municipal Code of the City of Fort Wayne, Indiana, as amended.

PUBLISHER'S AFFIDAVIT

State of Indiana }
ALLEN County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned H. Owen who, being duly sworn, says that he is CLERK of the

JOURNAL-GAZETTE
a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8, the dates of publication being as follows:

July 22, 1971

July 29, 1971

Subscribed and sworn to before me this 31st day of July 19 71

Notary Public

My commission expires March 8, 1974